

Robert G. Drummond
Chapter 13 Standing Trustee
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UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA

In re)	
)	No. 19-60983-13
SHAWN D. DEFRANCE and)	
JENNIFER R. DEFRANCE,)	
)	
Debtors.)	

MOTION OF TRUSTEE TO DISMISS, AND NOTICE

Pursuant to 11 U.S.C. § 1307(c), the undersigned respectfully moves the Court to dismiss the above-entitled case. The grounds for this motion are as follows:

Cause for dismissal exists pursuant to 11 U.S.C. § 1307(c) because the Debtors have failed to turn over a copy of their 2020 state tax return as required by 11 U.S.C. § 521(f)(4)(B) and Mont. L.B.R. 3015-3. Additionally, the Debtors have failed to comply with the Trustee's directive as required by 11 U.S.C. § 521(a)(4) directing them to turn over copies of their tax returns.

DATED this 6th day of July, 2021.

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By /s/ Robert G. Drummond
Trustee

**NOTICE OF OPPORTUNITY TO RESPOND
AND REQUEST A HEARING**

If you object to the motion, you must file a written responsive pleading and request a hearing within fourteen (14) days of the date of the motion. The responding party shall schedule the hearing on the motion at least twenty-one (21) days after the date of the response and request for hearing and shall include in the caption of the responsive pleading in bold and conspicuous print the date, time and location of the hearing by inserting in the caption the following:

NOTICE OF HEARING

Date: _____

Time: _____

Location: _____

If no objections are timely filed, the Court may grant the relief requested as a failure to respond by any entity shall be deemed an admission that the relief requested should be granted.

DATED this 6th day of July, 2021.

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By /s/ Robert G. Drummond
Trustee

CERTIFICATE OF MAILING

I, the undersigned, do hereby certify under penalty of perjury that on the 6th day of July, 2021, a copy of the foregoing MOTION OF TRUSTEE TO DISMISS, AND NOTICE was

served by electronic means pursuant to LBR 9013-1(d)(2) on the parties noted in the Court's ECF transmission facilities and/or by mail on the following parties:

SHAWN D. and JENNIFER R. DEFRANCE
1035 GRIZZLY MOUNTAIN ROAD
MISSOULA, MT 59808

/s/ Karen Prinzing
Karen Prinzing